

Senate File 2013 - Introduced

SENATE FILE 2013

BY DAWSON

A BILL FOR

1 An Act relating to the baiting of deer on public or private
2 property and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 481A.41 Baiting of deer.

2 1. As used in this section, unless the context otherwise
3 requires:

4 a. "Baited area" means any area where feed is placed,
5 exposed, deposited, distributed, or scattered with the intent
6 to lure, attract, or entice wildlife to a specific location.

7 b. (1) "Feed" means any of the following materials that
8 are capable of luring, attracting, or enticing wildlife to a
9 specific location:

10 (a) Grain, fruit, vegetables, nuts, hay, salt, mineral
11 blocks, or any other natural food materials.

12 (b) Commercial products containing natural food materials.

13 (c) By-products of materials listed in subparagraph
14 division (a) or (b).

15 (2) "Feed" does not include any of the following:

16 (a) Food placed during normal agricultural activities
17 including but not limited to feed placed for livestock that are
18 present and are actively consuming the feed on a regular basis.

19 (b) Incidental feeding of wildlife within an active
20 livestock operation.

21 (c) Crops planted and left standing as food plots for
22 wildlife.

23 (d) Grain or other feed scattered or distributed as a result
24 of normal agricultural, gardening, soil stabilization, or
25 logging practices.

26 (e) Vegetation or other feed that is naturally deposited in
27 an area.

28 2. A person shall not hunt, take, or attempt to take deer
29 on or in a baited area.

30 3. A person shall not place, expose, deposit, distribute,
31 or scatter feed on a baited area on any private or public
32 property, or knowingly allow another person to place, expose,
33 deposit, distribute, or scatter feed on a baited area on
34 private property under the person's ownership or lease in
35 the state unless all feed is removed from the baited area at

1 least ten days prior to the opening day of the first fall deer
2 hunting season. An area remains a baited area for ten days
3 following complete removal of all feed from the area, except
4 for salt, minerals, or any other feed that will dissolve and
5 leach into the soil, in which case the area shall be considered
6 a permanently baited area until such time as all contaminated
7 soil is removed or until there is no longer evidence that deer
8 are artificially attracted to or are accessing the site. A
9 person shall not hunt, take, or attempt to take deer within two
10 hundred yards of a permanently baited area until such time as
11 all contaminated soil is removed from the area or until there
12 is no evidence that deer are artificially attracted to or are
13 accessing the area.

14 4. If salt, minerals, or any other feed that will dissolve
15 and leach into the soil is placed in an area for agricultural
16 purposes, that area shall not be considered a baited area or a
17 permanently baited area.

18 5. A person shall not establish a baited area or place,
19 expose, deposit, distribute, or scatter feed in an area with
20 the intent to prevent or disrupt the hunting activities of
21 another person. A violation of this subsection constitutes a
22 violation of section 481A.125.

23

EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill prohibits hunting, taking, or attempting to take
27 deer on or in a baited area. The bill also provides that
28 if a person places feed in a baited area, all feed must be
29 removed from that area at least 10 days before the opening
30 day of the first fall deer hunting season. An area remains
31 a baited area for 10 days following complete removal of all
32 feed from the area, except for salt, minerals, or any other
33 feed that will dissolve and leach into the soil, in which case
34 the area is considered a permanently baited area until such
35 time as all contaminated soil is removed or until there is no

1 longer evidence that deer are artificially attracted to or are
2 accessing the site. A person shall not hunt, take, or attempt
3 to take deer within 200 yards of a permanently baited area
4 until such time as all contaminated soil is removed from the
5 area or until there is no evidence that deer are artificially
6 attracted to or are accessing the area.

7 If salt, minerals, or any other feed that will dissolve
8 and leach into the soil is placed in an area for agricultural
9 purposes, that area is not considered a baited area or a
10 permanently baited area.

11 A person shall not establish a baited area or place, expose,
12 deposit, distribute, or scatter feed in an area with the
13 intent to prevent or disrupt the hunting activities of another
14 person. A violation of this provision constitutes intentional
15 interference with lawful hunting under Code section 481A.125
16 and is punishable as a simple misdemeanor for a first offense
17 and as a serious misdemeanor for any subsequent offense. A
18 simple misdemeanor is punishable by confinement for no more
19 than 30 days and a fine of at least \$105 but not more than \$855.
20 A serious misdemeanor is punishable by confinement for no more
21 than one year and a fine of at least \$430 but not more than
22 \$2,560.

23 For purposes of the bill, "feed" includes any of the
24 following materials that are capable of luring, attracting,
25 or enticing wildlife to a specific location: grain, fruit,
26 vegetables, nuts, hay, salt, mineral blocks, or any other
27 natural food materials; commercial products containing natural
28 food materials; or by-products of such materials. "Feed" does
29 not include food placed during normal agricultural activities
30 including but not limited to feed placed for livestock that are
31 present and are actively consuming the feed on a regular basis;
32 incidental feeding of wildlife within an active livestock
33 operation; crops planted and left standing as food plots for
34 wildlife; grain or other feed scattered or distributed as a
35 result of normal agricultural, gardening, soil stabilization,

1 or logging practices; or vegetation or other feed that is
2 naturally deposited in an area. A "baited area" is any area
3 where feed is placed, exposed, deposited, distributed, or
4 scattered with the intent to lure, attract, or entice wildlife
5 to a specific location.